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**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

CHASOM BROWN, WILLIAM BYATT,
 JEREMY DAVIS, CHRISTOPHER
 CASTILLO, and MONIQUE TRUJILLO
 individually and on behalf of all similarly
 situated,

Plaintiffs,

vs.

GOOGLE LLC,

Defendant.

Case No.: 5:20-cv-03664-LHK-SVK

**DECLARATION OF MARK C. MAO IN
 SUPPORT OF PLAINTIFFS' MOTION
 FOR ADMINISTRATIVE RELIEF
 REGARDING RULE 30(b)(6)
 DEPOSITIONS OF GOOGLE**

Referral: The Honorable Susan van Keulen

DECLARATION OF MARK C. MAO

I, Mark C. Mao, declare as follows.

1. I am a partner with the law firm of Boies Schiller Flexner LLP, counsel for Plaintiffs in this matter. I am an attorney at law duly licensed to practice before all courts of the State of California. I have personal knowledge of the matters set forth herein and am competent to testify.

2. On December 3, 2021, using 3 of their 20 deposition slots, Plaintiffs sent Google three separate 30(b)(6) deposition notices covering certain (1) damages topics, (2) ads and analytics topics, and (3) technical topics related to Google's collection and storage of private browsing information. Plaintiffs followed up on December 16, asking for dates and designees and for a meet-and-confer to discuss any potential objections.

3. Google did not respond until December 22, offering a meet-and-confer that day, during which Google merely provided a high-level overview of some likely objections, and often stated that it would need to further discuss the matter before agreeing to any compromise. Google's approach to meeting-and-conferring only frustrated the process and did not advance the parties' dispute toward resolution.

4. It's now been over five weeks, and yet Google has still not provided any dates or designees for any of the topics, including topics not in dispute, nor any written objections. Google also appears set on obstructing Plaintiffs from covering important topics, suggesting that (at some unspecified time) it intends to object to certain topics.

5. Plaintiffs are ready and willing to brief any disputes regarding the scope of these depositions, but Plaintiffs are concerned that Google will once again delay that process. For example, Google took weeks to complete the letter briefs for the Lorraine Twohill and Sundar Pichai depositions, and Google has in other circumstances refused to prepare letter briefs whatsoever.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 11th day of January, 2022, at San Francisco, California.

/s/ *Mark C. Mao*